

GOVERNMENT OF ANDRHA PRADESH
ABSTRACT

Public services – Employment and Training Department – Sri Y.Subrahmanyam, Attender, O/o Inspector of Factories, Anantapur – Trapped by Anti Corruption Bureau – Convicted by the Court of SPE& ACB Cases, City Civil Court, Hyderabad – Dismissed from service – Appeal filed against Lower Court orders - Set-a-side the Lower Court Orders by Andhra Pradesh High Court - Further action dropped – Reinstatement into service – Suspension and dismissal period treated as not on duty - Orders – Issued

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Ms.No.11

Dated :18.03.2013

Read the Following :-

1. From DG, ACB., Lr No. 50/RCT/ATP/94, Dated 23.03.1994.
2. DOF Proceedings No. A1/6613/94-4, Dated 25.04.1994.
3. From DG, ACB., Lr No. 50/RCT/ATP/94, Dated 01.08.1994.
4. G.O.Ms.No. 223, Energy & Forests (F&B) Department, dated 20.10.1994.
5. DOF Proceedings No. A2/8980/2001, dated 24.04.2001.
6. From DG, ACB., Rc.No. 50/RCT-ATP/94/S.14, Dated 17.04.2004.
7. DOF Proceedings No. A1/7060/2004, dated 21.04.2004.
8. From the DG, ACB., Rc.No. 050/RCT-ATP/1994-S.14, Dated 20.09.2011 along with judgment of High Court Crl. Appeal. No. 966 & 968.
9. Representation from Sri Y.Subrahmanyam, Attender dated 02.09.2011

ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau has informed that Sri Y.Subrahmanyam, Attender O/o the Inspector of Factories, Anantapur alongwith two others were trapped by Anti Corruption Bureau when demanded and accepted bribe and recommended for suspension.

2. Sri Y.Subrahmanyam, Attender, O/o Inspector of Factories, Anantapur was suspended from service vide Director of Factories proceedings in the reference 2nd read above.

3. In the G.O. 4th read above, prosecution was sanctioned in a court of law against Sri Y.Subrahmanyam, Attender Office of the Inspector of Factories, Anantapur.

4. In the reference 5th read above, Sri Y.Subrahmanyam, Attender O/o Inspector of Factories, Anantapur was reinstated into service.

5. In the reference 6th read above, the Director General, Anti Corruption Bureau, has informed that the Additional Special Judge for SPE & ACB cases, cum V Addl. Chief Judge, City Civil Court, convicted and sentenced against Sri Y.Subrahmanyam, Attender, O/o Inspector Factories, Anantapur in the trap case.

6. Consequent on his conviction Sri Y.Subrahmanyam, Attender, O/o Inspector of Factories, Anantapur was dismissed from service vide reference 7th read above

7. In the reference 8th read above, the Director General, Anti Corruption Bureau, has informed that Sri Y.Subrahmanyam, Attender, O/o Inspector Factories, Anantapur has filed Crl.Appeal No.968/2004 in the Hon'ble High Court of Andhra Pradesh against conviction orders dated 09.04.2004 passed in CC. No. 18/1994 by the Addl. Special Judge for SPE & ACB Cases, City Civil Court, Hyderabad. The A.P. High Court allowed the appeal and set-a-side the conviction and sentence passed by the lower Court against Sri Y.Subrahmanyam, Attender, O/o Inspector of Factories, Anantapur and acquitted him.

8. In the reference 9th read above, Sri Y.Subrahmanyam, Attender, has represented for reinstatement into service with back salary and allowances.

9. In the light of above circumstances, after careful examination of the matter in detail Government hereby decided to drop further action against Sri Y.Subrahmanyam, Attender, and reinstatement into service. The Delinquent Officer is accordingly exonerated from charge. Though the delinquent Officer has been exonerated from charges in view of the orders of Andhra Pradesh High Court, the acquittal of accused treated as not on merit. Therefore the suspension and dismissal period shall be treated as 'justified' and the said suspension and dismissal period shall be treated as 'not on duty' under FR-54-B(7).

10. The Director of Factories is therefore requested to take immediate necessary further action for reinstatement of Sri Y.Subrahmanyam, Attender, into service by following due procedure.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Y.Subrahmanyam, Attender, O/o Inspector of Factories, Anantapur
through Director of Factories, Hyderabad.

The Director of Factories, Andhra Pradesh, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Andhra Pradesh Public Service Commission, Hyderabad.

Sf/Sc.

//Forwarded :: By order//

SECTION OFFICER